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PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission

9

Application Number

10/773,492

Filing Date

February 6, 2004

First Named Inventor

SarahElizabeth Caldwell

Art Unit

1711

Examiner Name

Teresa M. Boykin

Attorney Docket Number

2003/04

ENCLOSURES (Check all that apply)

| | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input checked="" type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
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| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |

Remarks

Memo re reasons as to relevance of the references on PTO/SB/09A
Express mail certificate
Postcard receipt**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

| | | | |
|--------------|---------------------|----------|--------|
| Firm Name | Dougherty Clements | | |
| Signature | | | |
| Printed name | Gregory N. Clements | | |
| Date | March 2, 2006 | Reg. No. | 30,713 |

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| Signature | | | |
| Typed or printed name | Nancy Burns | Date | March 2, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATIONS

Applicant: Sarah Elizabeth Caldwell
Application No. 10/773,492
Filed: February 6, 2004
Title: POLYESTER WITH HIGH CARBOXYL END GROUPS
AND METHODS FOR MAKING
Examiner: Terressa M. Boykin
Art Unit: 1711

Charlotte, North Carolina
March 2, 2006

Dear Sirs:

REASONS AS TO RELEVANCE OF THE REFERENCES ON PTO/SB/08A

Reason for relevance of U. S. Patents 5,244,917 and 5,344,937 is set forth in the Response to the Final Rejection.

U. S. Patent, 5,552,475 which discloses a polyester, dicarboxylic acid and substituted anhydrides. However, the polyesters are solvent based polyesters, suitable polyols does not include ethylene, the patent discloses a very high hydroxyl to carboxyl ratio whereas we prefer a ratio to be approximately 1:1, the substituted anhydride is used to acidify the composition, and has a very low molecular weight of 3000, not 300,000, for example. What is disclosed in this patent can be used to make coatings and is not used for making bottle resin.

Respectfully submitted,

Gregory N. Clements
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Facsimile: 704/366-9744

GNC/nb

Enclosure

- PTOSB/08A

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EXPRESS MAIL CERTIFICATE

Express Mail No.: - EV 860437957 US **EV860437957US**

Date of Deposit: - March 2, 2006

Type of Document(s): - Transmittal Form (PTO/SB/21)
- Response to Final Rejection
(4 pages)
- Memo - Reasons as to Relevance of the References
on PTO/SB/08A (3 pages including PTO/SB/08A)
- Postcard Receipt

Application No.: - 10/773,492

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Applicant(s): - Sarah Elizabeth Caldwell

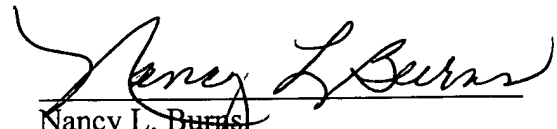
Title: - POLYESTER WITH HIGH CARBOXYL END
GROUPS AND METHODS OF MAKING

Examiner: - Terressa M. Boykin

Art Unit: - 1711

Attorney Docket No.: - 2003/04

I hereby certify that the above-referenced documents are being/have been deposited with the United States Postal Service "Express Mail Post Office to Addressee" in accordance with 37 CFR 1.10 on the above-referenced date and are being/have been addressed to: **Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 USA.**


Nancy L. Burns
Legal Assistant